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09/195,333	11/17/1998	ERIC VALENTINE	1190-2007	4205
27045	7590	01/10/2005	EXAMINER	
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR C11 PLANO, TX 75024			SCHEIBEL, ROBERT C	
			ART UNIT	PAPER NUMBER
			2666	

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/195,333

Applicant(s)

VALENTINE ET AL.

Examiner

Robert C. Scheibel

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 November 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 November 1998 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:
  - “link level protocols stacks” should be changed to “link level protocol stacks”.Appropriate correction is required.
2. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. Line 10 on page 10 contains the example IP address string ‘www.xxx.yyy.zzz’ which could be interpreted as a URL by a browser. This objection can be overcome by changing the example string to “aa.bb.cc.dd”.

### ***Drawings***

3. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. Claim 1 is objected to because of the following informalities: the hyphens in line 10 should be removed for consistency with the rest of the claim. That is, “emergency-call-answering center” should be changed to “emergency call answering center”. It is recommended

Art Unit: 2666

that this be made consistent throughout the entire set of claims; however, it is only required that this wording be consistent within each claim. Appropriate correction is required.

5. Claim 2 is objected to because of the following informalities: in line 1, "wherein step" should be changed to "wherein the step". Appropriate correction is required.

6. Claim 7 is objected to because of the following informalities: the word "wherein" in line 1 is unnecessary and should be removed for clarity. Appropriate correction is required.

7. Claim 9 is objected to because of the following informalities: "centers" in line 9 should be "center" to match the center in line 2 to which this refers. Appropriate correction is required.

***Claim Rejections - 35 USC § 112.***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-9 and 13-16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the IP address" in line 5. There is insufficient antecedent basis for this limitation in the claim. This rejection can be overcome by changing this limitation to "an IP address".

Claims 3 and 7 recite the limitation "the service zone" in line 2. There is insufficient antecedent basis for this limitation in the claim. This rejection can be overcome by changing these limitations to "a service zone".

Claims 2, 4-6, and 8 are rejected as they depend on one or more of the above recited claims and thus contain the same indefinite limitation(s).

Art Unit: 2666

Claim 9 recites the limitation "the format type" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "said physical location information" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. One way this rejection can be overcome is by changing claim 13 to depend from claim 12 (rather than claim 11).

Claim 14 recites the limitation "the communications facilities" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 is rejected as it depends on claim 14 and thus contains the same indefinite limitation.

Claim 16 contains the phrase "wherein said entry gateway is an Internet through an Internet Service Provider (ISP)". This phrase should be reworded to more clearly state the intended limitation. It is not clear how the entry gateway can *be* "an Internet" or how this can be done through an ISP. For the purposes of the art rejection below, this claim is interpreted as adding the limitation that the entry gateway is part of an ISP.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-6, 8-18 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,721,752 to Vaio.

Regarding claim 1, Vaios discloses the step of transmitting an IP formatted emergency request message to a network supporting IP in figure 1. The network supporting Internet Protocol is the network 6 of this figure. The emergency request message is the notification sent by the local computer system (12) upon detecting an obstruction (see lines 59-62 of column 8). Vaios discloses the step of determining the physical location of the Internet device from the IP address associated with the IP formatted emergency request message in the embodiment using Internet Protocol in the network 6. This embodiment uses IP to transmit the notification message (as well as the video file) from the surveillance area; as indicated in lines 19-22 of column 7, the IP address of the surveillance area (associated with the emergency request message (notification message)) is required to properly send this data as it identifies the surveillance area as the physical location from which the message was sent. The step of converting the IP formatted emergency request message to a format compatible with the emergency call answering center is disclosed in the passage from line 66 of column 4 through line 4 of column 5. This passage indicates that the data format expected at the emergency call answering center (end user 8) may be different than that sent from the surveillance area and thus the data must be translated between these two formats. The limitation of routing the converted (translated) message and the physical location of the Internet device to the emergency call answering center is disclosed in Figures 1 and 4. The notification message is transmitted via the network 6 and presumed to be received by the remote individual (see step 312 in Figure 4).

Regarding claim 9, Vaios discloses the step of detecting an IP formatted emergency request message to a network supporting IP in figure 1. The Internet device is the security surveillance area 4. Vaios discloses the limitation of using the IP address of the message to

Art Unit: 2666

query the database inherently in the IP embodiment of the invention. The edge router sending the notification to the end user stations will use a database of Internet user records (the routing table) to determine the physical location (port) of the end user. The step of returning the physical location is similarly disclosed; the physical location must be returned in order for the edge router to properly transmit the notification to the end user. The step of returning the format type is disclosed in the passage from line 66 of column 4 through line 4 of column 5. This passage indicates that the data format expected at the emergency call answering center (end user 8) may be different than that sent from the surveillance area and thus the data must be translated between these two formats. The correct format must be returned to properly perform this translation. The limitation of using the format type to convert the IP formatted message into a format compatible with the emergency call answering center is similarly disclosed by the passage from line 66 of column 4 through line 4 of column 5.

Regarding claim 10, Vaio discloses the central office in the network 6 of Figure 1 and in the passages in lines 37-42 of column 4 and from line 66 of column 4 to line 4 of column 5. The first of these passages indicates that the network can be any communications structure that enables the two remote computers to communicate. The following paragraph specifically mentions a modem as the interface to the network (on both sides 14 and 18 in this case). This modem would connect to a central office in the PSTN as is well known in the art. The second passage (starting at line 66 of column 4) indicates that the two network interfaces need not be compatible. Thus one interface can be a modem connected to a central office and the other could be a network card or a telephony interface. The limitation of an IP network containing an entry gateway is also disclosed in the network 6 of Figure 1 as explained above. The surveillance area

Art Unit: 2666

uses a modem to connect to the network and the end user uses either a network card or a telephony interface. The IP formatted messages containing requests for emergency services are the notification messages as discussed in the rejection of claim 1 above. The limitation of an emergency call handling function linked to said entry gateway and configured to receive said IP formatted messages and deliver them to said telephonic emergency call answering center after converting them into a compatible format is disclosed in the passage from line 66 of column 4 to line 4 of column 5. As discussed in the rejection of claim 1 above, this passage discloses translation of data formats from one interface to the other and indicates that this will be done in the network 6.

Regarding claim 2, the limitation that the converting step involves converting the IP address to a telephone number is disclosed in lines 59-62 of column 8 which indicates that the notification message could be a telephone call among other things. This implies that the message must be translated from an IP message to a telephone number in order to deliver the notification to the end user stations.

Regarding claim 3, the limitation of the routing step including routing to an emergency response station within the service zone of the internet device is disclosed in the routing to the end user stations 8 of Figure 1 which are stations where a security guard is stationed.

Regarding claim 4, the limitation of further comprising the step of dispatching emergency personnel is disclosed in lines 32-35 of column 1 and lines 40-42 of column 1 which indicate that the notification message may ultimately be used to contact the police to apprehend the intruder.

Regarding claims 5-6, the limitation that the Internet device is a client terminal in a LAN is disclosed in lines 57-61 of column 4. It is well known that IP addresses are assigned



Art Unit: 2666

dynamically when a user attempts to login to the network, typically using the DHCP protocol, thus, Vaios inherently discloses the limitation of claim 6.

Regarding claim **8 and 11**, the limitation that determining the physical location of the Internet device is performed by querying a database of Internet user records is disclosed inherently in the above embodiments using IP for network 6. The edge router sending the notification to the end user stations will use a database of Internet user records (the routing table) to determine the physical location (port) of the end user.

Regarding claim **12**, the limitation that the records include physical information associated with IP addresses is disclosed as described above regarding claim 8; the physical location is the port to which the notification is to be routed.

Regarding claim **13**, the limitation that the physical location information includes a PSTN telephone number is disclosed in lines 59-62 of column 8 which indicates that the notification message could be a telephone call among other things. This implies that the message must be translated from an IP message to a telephone number in order to deliver the notification to the end user stations.

Regarding claim **14**, the limitation of an Internet device coupled to the central office and containing communications facilities for originating an emergency request message is disclosed in the surveillance area 4 of Figure 1.

Regarding claim **15**, the limitation that the Internet device is a client terminal in a LAN is disclosed in lines 57-61 of column 4.

Regarding claim 16, the limitation that the limitation that the gateway is part of an ISP is inherently disclosed in the Internet embodiment of Vaios. The network 6 would be accessed through an ISP when this network is the Internet.

Regarding claims 17 and 18, Vaios discloses the limitation of an exit gateway providing a routing function between an emergency call handling function and the PSTN in the passage from line 66 of column 4 through line 4 of column 5 and lines 58-62 of column 8. These two passages indicate that there is a translation function (thus performing the function of the exit gateway in the claims) in the network to convert between types for each of the two interfaces (14 and 18) and that the notification message may be delivered to the user in the form of a telephone call. Regarding claim 18, the limitation that a traditional telephone based emergency call center is accessed is disclosed in the telephone 70 of end user stations 8 of Figure 1.

Regarding claim 20, Vaios discloses the limitation that the emergency call handling function is a separate element outside the IP network maintained by a third party administrator is disclosed in lines 59-62 of column 8 which indicates that the notification message could be a telephone call among other things. This implies that the message must be translated from an IP message to a telephone number in order to deliver the notification to the end user stations. This translation would clearly be done outside of the IP network. Further, the separation of the network 6 from the end users indicates that the functionality would be maintained by a third party.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2666

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

14. Claims **7 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,271,752 to Vaio in view of U.S. Patent 5,596,625 to LeBlanc.

The limitations of parent claims 1 and 17 are disclosed by Vaio as described in the rejection under 35 U.S.C. 102(e) above. Vaio does not disclose expressly the limitations of claims 7 and 19. LeBlanc discloses routing emergency calls to a PSAP throughout (see the abstract for example). Vaio and LeBlanc are analogous art because they are from the same field of endeavor of communications systems for handling emergency situations. At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify Vaio to route the notification information regarding the intruder to a PSAP rather than to an end user. The motivation for doing so would have been to expedite the "apprehension of the intruder" discussed in lines 32-35 of column 1 of Vaio. Therefore, it would have been obvious to combine LeBlanc with Vaio for the benefit of expediting the calling of the police to obtain the invention as specified in claims 7 and 9.

*Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,807,564 to Zellner discloses a method of delivering panic button messages over IP. U.S. Patent Application Publication Number 2004/0057425 to Brouwer et al, U.S. Patent Application Publication Number 2002/0150086 to Bailey, U.S. Patent Application Publication Number 2003/0063714 to Stumer and U.S. Patent 6,356,751 to Valentine all disclose methods for routing emergency information using IP. U.S. Patents 6,614,780 to Hakim et al and 6,529,501 to Zhao et al disclose ways of translating IP addresses to physical locations.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Scheibel whose telephone number is 571-272-3169. The examiner can normally be reached on Monday and Thursday from 6:30-5:00 Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*RCS 1-6-05*  
Robert C. Scheibel  
Examiner  
Art Unit 2666

*[Signature]*  
GAMSTON  
PATENT EXAMINER